

**Cogswell-Macy: Defending FAPE, Supporting States Through Positive Reform**

Congress should promptly enact the Alice Cogswell and Anne Sullivan Macy Act (118th Cong: H.R. 5748, S. 2945) to support states in the delivery of appropriate special education and related services to children who are blind or who have low vision, deaf or hard of hearing, deafblind, and who may have additional disabilities. Key provisions concerning children with vision loss include:

* **Braille, Low Vision and the ECC**: The Macy bill elevates each of the domains of the Expanded Core Curriculum by ensuring that they enjoy a prominence at every IEP Team table right along side the presumption that braille will be provided, and braille instruction will only be withheld from a given student after proper evaluation and upon the informed written consent of parents.
* **Evals**: The Macy bill expressly establishes, for the first time, formal federal recognition of Learning Media Assessments and Functional Vision Evaluations, along with similarly well-established and widely acknowledged assessment methods and tools, which are to be administered by the highest qualified personnel with BVI-specific expertise and which fully embrace the individuality of each child.
* **Proper Identification**: As always, the Macy bill continues to call for classification of children with vision loss in disability categories other than blindness or visual impairment to be irrelevant; children will be identified, evaluated and served in accordance with their blindness or low vision regardless of disability label.
* **Child Count**: The Macy bill will result in more accurate and authoritative numbers detailing the size and characteristics of the national population of children who are blind or who have low vision irrespective of additional disabilities.
* **State Strategic Planning**: The Macy bill would support states to play a more engaged role to increase the availability of highly qualified teachers and related services personnel who are equipped to properly evaluate and serve children with vision loss, including brain-based visual impairment.
* **Relationship to 504**: The Macy bill would support states in clarifying how determinations are made that leave many students on 504 plans when such students have both a need and a right to a free appropriate public education and the specialized instruction guaranteed under IDEA.
* **Textbook Access**: The Macy bill eliminates the unconscionable restriction currently imposed by the U.S. Department of Education that prevents children with vision loss but who may not have IEPs in place to make use of accessible instructional materials currently offered to students with IEPs.
* **VRTs**: The Macy bill would rank Vision Rehabilitation Therapists along side Orientation and Mobility Specialists on IDEA’s list of formally recognized examples of related services professions.
* **O&M**: The Macy bill clarifies once and for all that orientation and mobility must be provided and exercised not merely on campus or within a classroom but at home, in school and in community, conditioning a state’s, district’s, or school’s acceptance of federal IDEA money on their permitting O&M to be made available off campus and in all appropriate environments.
* **Technology**: The Macy bill makes it clear that technology and specific devices can be taken home or must be specifically offered for home use.
* **Personnel Prep**: The Macy bill adds critical clarity to current law requiring the U.S. Department of Education to fulfill its so-called low incidence personnel preparation obligations by preparing professionals expert in both ocular and brain-based vision loss and in all ECC domains.
* **Early Intervention**: for the first time, the Macy bill explicitly requires states to affirmatively acknowledge the vision-loss-specific early childhood needs of every child and their family, spelling out the ECC-comparable services and skills that must be addressed and the appropriate environment suitable to fulfill IFSP requirements, including in environments often unfairly disqualified or discouraged because they are not so-called natural environments.
* **Support for both Parents and Educators**: The Macy bill would demand that the U.S. Department of Education regularly update and keep current vital and readily accessible and understandable narrative policy guidance to help parents and educators alike in making full use of IDEA’s substantive benefits and protections. The Department has failed to do so for a quarter-century.
* **Blindness Field Capacity Building**: The Macy bill would fund collaboration among national blindness field organizations to foster expanded quantitative and qualitative research, program innovation, continuing education, and specific investment in personnel prep in the early intervention and blindness-informed cross-disability contexts.